

08/02/00

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JC873 U.S. PTO
09/630454

08/02/00

August 2, 2000

WRITER'S DIRECT NUMBER:
 (202) 371-2626

INTERNET ADDRESS:
 sludwig@skgf.com

Commissioner for Patents
 Washington, D.C. 20231

Box Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
 Appl. No. (to be assigned); filed (herewith)

For: **Novel Bacterial Strains, Methods of Preparing the Same and Use
 Thereof in Fermentation Processes for L-Lysine Production**

Inventors: Liaw *et al.*

Our Ref: 1533.0730001/SRL/TBB

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
 Patent and Trademark Office:

1. Fee Transmittal (Form PTO/SB/17) (in duplicate);
2. Utility Patent Application Transmittal (Form PTO/SB/05);
3. U.S. Utility Patent Application entitled:

Novel Bacterial Strains, Methods of Preparing the Same and Use thereof
 in Fermentation Processes for L-Lysine Production

and naming as inventors:

Hungming J. Liaw
 John Eddington
 Yueqin Yang

Commissioner for Patents
August 2, 2000
Page 2

Richard Dancey
Stacia Swisher
Weiying Mao

the application consisting of:

- a. A specification containing:
 - i. 21 pages of description prior to the claims;
 - ii. 6 pages of claims (claims 1-23); and
 - iii. 1 page abstract;
 - b. Two (2) sheets of drawings (Figures 1A and 1B); and
 - c. An original executed Declaration for Patent Application;
4. Authorization To Treat A Reply As Incorporating An Extension Of Time Under 37 C.F.R. § 1.136(a)(3) (in duplicate);
5. A Power of Attorney from Assignee, executed on behalf of Archer-Daniels-Midland Company;
6. A Certificate Under 37 C.F.R. § 3.73(b), executed on behalf of Archer-Daniels-Midland Company;
7. Two sheets of Formal Drawings (Figures 1A and 1B);
8. Two (2) return postcards; and
9. Our check No. 28279 for \$978.00 to cover:
\$690.00 Basic filing fee (37 C.F.R. § 1.16(a));
234.00 Independent claims in excess of three (37 C.F.R. § 1.16(b)); and
54.00 Claims in excess of twenty (37 C.F.R. § 1.16(c)).

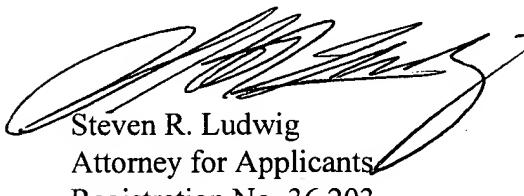
It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or

Commissioner for Patents
August 2, 2000
Page 3

credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Steven R. Ludwig
Attorney for Applicants
Registration No. 36,203

SRL/TBB/dab
P:\USERS\DENISEB\1533\073\appcov
Enclosures

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR § 1.53(b))</i>		Attorney Docket No. 1533.0730001/SRL/TBB
		First Inventor or Application Identifier Hungming J. Liaw et al.
		Title Novel Bacterial Strains, Methods of Preparing the Same and the Use Thereof in Fermentation Processes for L-Lysine Production
		Express Mail Label No.

Job#873 US 60144


APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.
ADDRESS TO:
 Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

1. * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Specification [Total Pages 28]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
4. Oath or Declaration [Total Pages 3]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional with Box 17 completed*)
[Note Box 5 below]
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
5. Incorporation By Reference (*useable if Box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ACCOMPANYING APPLICATION PARTS

8. Assignment Papers (cover sheet & document(s))
9. 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee)
10. English Translation Document (*if applicable*)
11. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
12. Preliminary Amendment
13. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. *Small Entity Statement(s) Statement filed in prior application, Status still proper and desired
15. Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16. Other: (1) 37 C.F.R. § 1.136(a)(3) Authorization (in duplicate)
(2) Two (2) sheets Formal Drawings (Figures 1A & 1B).
**NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).*

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

 Continuation Divisional Continuation-in-Part (CIP) of prior application No: _____ / _____

Prior application information: Examiner _____ Group/Art Unit: _____

18. CORRESPONDENCE ADDRESS
 Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

 Correspondence address below

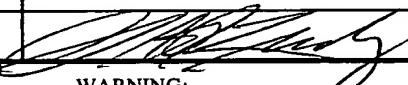
NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.					
	Attorneys at Law					
ADDRESS	Suite 600, 1100 New York Avenue, N.W.					
CITY	Washington	STATE	DC	ZIP CODE	20005-3934	
COUNTRY	USA	TELEPHONE	(202) 371-2600		FAX	(202) 371-2540

NAME (Print/Type)	Steven R. Ludwig	Registration No. (Attorney/Agent)	36,203
SIGNATURE	Date		
		August 2, 2000	

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2000		Complete if Known	
<p>Patent fees are subject to annual revision. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.</p>		Application Number	(to be assigned)
		Filing Date	(herewith)
		First Named Inventor	Hungming J. Liaw et al.
		Examiner Name	(to be assigned)
		Group / Art Unit	(to be assigned)
TOTAL AMOUNT OF PAYMENT	(\$978.00)	Attorney Docket Number	

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																													
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <p>Deposit Account Number 19-0036</p> <p>Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,210</td><td>241</td><td>605</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,210</td><td>242</td><td>605</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>430</td><td>243</td><td>215</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>580</td><td>244</td><td>290</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>690</td><td>246</td><td>345</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>690</td><td>249</td><td>345</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td colspan="6">Other fee (specify):</td></tr> <tr><td colspan="6">Other fee (specify):</td></tr> <tr><td colspan="6">*Reduced by Basic Filing Fee Paid</td></tr> <tr> <td colspan="2">SUBTOTAL (1) (\$ 690.00)</td> <td colspan="4">SUBTOTAL (3) (\$ -0-)</td> </tr> </tbody> </table>				Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - 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JC873 U.S. PTO
09/630454
08/02/00

Certificate Under 37 C.F.R. § 3.73(b)

Hungming J. Liaw, John Eddington, Yueqin Yang, Richard Dancey

Applicant/Patent Owner: Stacia Swisher and Weiying Mao

Application No./Patent No.: (to be assigned) Filed/Issue Date: (herewith)
Novel Bacterial Strains, Methods of Preparing the Same and Use Thereof in Fermentation
Entitled: Processes for L-Lysine Production

Archer-Daniels-Midland Company, a corporation,
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest, or
2. an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 010227, Frame 0834, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (*i.e.*, the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8.]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: ✓ JULY 18, 2000

Name: David J. Smith

Title: Vice President, Secretary & General Counsel

Signature: ✓ 

(Atty. Dkt. 1533.0730001/SRL/TBB)

P:\USERS\DENISEB\CERTIFIC\15330731

SKGF Rev.3/31/00 mac

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC873 U.S. PRO
09/630454
08/0200



In re application of:

Liaw *et al.*

Appl. No. (To be assigned)

Filed: (herewith)

For: **Novel Bacterial Strains, Methods
of Preparing the Same and Use
Thereof in Fermentation
Processes for L-Lysine Production**

Art Unit: (To be assigned)

Examiner: (To be assigned)

Atty. Docket: 1533.0730001/SRL/TBB

**Authorization To Treat A Reply As Incorporating An Extension Of Time
Under 37 C.F.R. § 1.136(a)(3)**

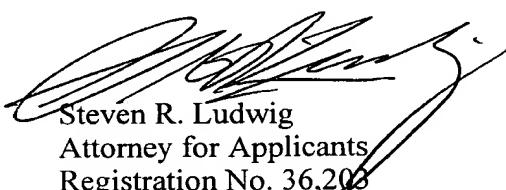
Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Steven R. Ludwig
Attorney for Applicants
Registration No. 36,298

Date: August 2, 2000

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Suite 600
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